



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

Steven M. Bessette

Atty. Ref.: 4380-102

Patent No. 6,887,899

Application No. 09/604,158

Issued: May 3, 2005

For: METHOD FOR CONTROLLING HOUSE DUST MITES WITH
A COMPOSITION COMPRISING PHENYLETHYL
PROPIONATE

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PROVISIONAL REQUEST FOR A CERTIFICATE OF CORRECTION

In response to a suggestion from the Examiner who allowed the above-captioned patent, the undersigned provisionally requests the Patent and Trademark Office to issue an official Certificate of Correction. In view of 37 C.F.R. § 1.322, it is believed that the below-identified errors were made by the Patent Office on the Coverpage of the above-captioned patent. In particular, the Japanese patent documents listed under "FOREIGN PATENT DOCUMENTS" contain citation information for English-language abstracts of Japanese patent documents. Such citation information was literally obtained from an International Search Report for a related counterpart PCT application (copy attached) and used on a Form PTO-1449 (copy attached) that was filed on March 16, 2001. During the pendency of the above-captioned patent application, the Patent Office never objected to the form of citation information for the cited Japanese

abstracts that was used on the Form PTO-1449. As such, the patentee was never made aware that the citation information should have been revised, as now suggested by the Examiner *after issuance*. In fact, the Examiner has initialed the Form PTO-1449 prior to issuance of the above-captioned patent indicating that all cited items of information were considered by her. Indeed, such alleged errors in citation form could have been raised by the Patent Office during pendency. As such, it is believed that the alleged citation information errors on the coverpage of the above-captioned patent arose on the part of the Patent and Trademark Office. Therefore, no fee is believed necessary for securing issuance of a Certificate of Correction.

In view of the above comments, the following corrections are respectfully requested:

On the Cover page of the Patent under the heading FOREIGN PATENT DOCUMENTS, please delete the following:

“JP 002150159 7/1989
JP 002150158 10/1990
JP 002150161 11/1991
JP 002150160 3/1992
JP 404091003 A * 3/1992 A01N/31/16
JP 002150156 4/1992
JP 002150157 5/1992
JP 002150155 2/1993
JP 002150162 6/1996
JP 002150154 12/1996”

and insert therefor

-- JP 01 163104 A 7/1989
JP 02 251669 A 10/1990
JP 02 913734 B 11/1991
JP 04 091003 A* 3/1992
JP 04 117305 A 4/1992
JP 04 149103 A 5/1992
JP 05 039203 A 2/1993
JP 08 143419 A 6/1996
JP 08 333206 A 12/1996--

Steven M. Bessette
Patent No. 6,887,899

Atty. Docket No. 4380-102

On the Cover page of the Patent under the heading FOREIGN PATENT DOCUMENTS, please delete the following:

"JP 002150153 6/1992"

and insert therefor

--OTHER PUBLICATIONS

Honma, S., "Effect of various chemicals on mites", *YAKUZAIGAKU*, 27(3):192-196 (1967) ABSTRACT--

Attached hereto is a draft Official Certificate of Correction for use by the Patent and Trademark Office in correcting the above-identified matter.

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), including the required fee under 37 C.F.R. § 1.20(a) for issuance of the Certificate requested hereunder, to our **Deposit Account No. 14-1140**.

Respectfully submitted,

NIXON & VANDERHYE P.C.

Date: July 1, 2005

By:


Willem F. Gadiano
Reg. No. 37,136

WFG:ewm
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Staple
Here
Only!

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 6,887,899
DATED : May 3, 2005
INVENTOR(S) : Steven M. Bessette

It is certified that error appears in the above-identified patent and that said letters patent is hereby corrected as shown below:

On the Cover page of the Patent under the heading FOREIGN PATENT

DOCUMENTS, please delete the following:

"JP 002150159 7/1989
JP 002150158 10/1990
JP 002150161 11/1991
JP 002150160 3/1992
JP 404091003 A * 3/1992 A01N/31/16
JP 002150156 4/1992
JP 002150157 5/1992
JP 002150155 2/1993
JP 002150162 6/1996
JP 002150154 12/1996"

and insert therefor

-- JP 01 163104 A 7/1989
JP 02 251669 A 10/1990
JP 02 913734 B 11/1991
JP 04 091003 A 3/1992
JP 04 117305 A 4/1992
JP 04 149103 A 5/1992
JP 05 039203 A 2/1993
JP 08 143419 A 6/1996
JP 08 333206 A 12/1996--

MAILING ADDRESS OF SENDER:

Willem F. Gadiano
NIXON & VANDERHYE P.C.
901 North Glebe Road, 11th Floor
Arlington, Virginia 22201

PATENT NO.

6,887,899

No. of add'l
@ 50¢ per page

Staple
Here
Only!

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 6,887,899
DATED : May 3, 2005
INVENTOR(S) : Steven M. Bessette

It is certified that error appears in the above-identified patent and that said letters patent is hereby corrected as shown below:

On the Cover page of the Patent under the heading FOREIGN PATENT DOCUMENTS, please delete the following:

"JP 002150153 6/1992"

and insert therefor

--OTHER PUBLICATIONS

Honma, S., "Effect of various chemicals on mites", YAKUZAIGAKU, 27(3):192-196 (1967) ABSTRACT--

MAILING ADDRESS OF SENDER:

Willem F. Gadiano
NIXON & VANDERHYE P.C.
901 North Glebe Road, 11th Floor
Arlington, Virginia 22201

PATENT NO.

6,887,899

No. of add'l
@ 50¢ per page

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)			ATTY. DOCKET NO. 45112-085	SERIAL NO. 09/604,158		
O I P E MAR 16 2001 U.S. PATENT & TRADEMARK OFFICE RECEIVED						
APPLICANT St v n M. BESETTE						
FILING DATE June 27, 2000			GROUP 1651			
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS SUBCLAS S		
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS SUBCLAS S	Translation	
					Yes No	
PP	XP 002150155	02/19/93	Japan	Abs Only		
↑	XP 002150154	12/17/96	Japan	"		
✓	XP 002150156	04/17/92	Japan	"		
✓	XP 002150157	05/22/92	Japan	"		
✓	XP 002150158	10/09/90	Japan	"	MAR 20 2001	
✓	XP 002150159	07/26/89	Japan	"		
✓	NP 002150160	03/24/92	Japan	"	TECH CENTER 1600/2900	
✓	NP 002150162	06/04/96	Japan	"		
✓	XP 002150153		Japan	"		
✓	XP 002150161	11/25/91	Japan	"		
✓	0428276 A2	05/22/91	Europe			
✓	0475253 A2	03/18/92	Europe	ABS Only		
✓	DE 19824680 A1	12/09/99	Germany	"		
✓	DE 19824683 A1	12/09/99	Germany	"		
PP	DE 19824681 A1	12/09/99	Germany	"		
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
Notification of Transmittal of The International Search Report or the Declaration dated November 3, 2000.						
EXAMINER <i>Patricia D. Hall</i>			DATE CONSIDERED 10/01/01			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

BEST AVAILABLE COPY

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 45112-086	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 17678	International filing date (day/month/year) 28/06/2000	(Earliest) Priority Date (day/month/year) 28/06/1999
Applicant ECOSMART TECHNOLOGIES, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
 - contained in the international application in written form.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority in written form.
 - furnished subsequently to this Authority in computer readable form.
 - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. **Certain claims were found unsearchable** (See Box I).

3. **Unity of invention is lacking** (see Box II).

4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

PLANT ESSENTIAL OILS AGAINST DUST MITES

5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. —

- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 00/17678

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A01N65/00 A01N43/30

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, PAJ, EPO-Internal, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DATABASE WPI Section Ch, Week 199709 Derwent Publications Ltd., London, GB; Class C01, AN 1997-095370 XP002150154 & JP 08 333206 A (FUMAKILA KK), 17 December 1996 (1996-12-17) abstract	1,2,7,8, 10-12
Y	---	7-10,12
Y	EP 0 428 276 A (TAKASAGO PERFUMERY CO LTD) 22 May 1991 (1991-05-22) page 2, line 43 -page 3, line 1 page 3, column 27	7-10,12
	---	-/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

16 October 2000

Date of mailing of the international search report

03/11/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.
Fax: (+31-70) 340-3016

Authorized officer

Lamers, W

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/17678

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DATABASE WPI Section Ch, Week 199312 Derwent Publications Ltd., London, GB; Class C03, AN 1993-096724 XP002150155 & JP 05 039203 A (EARTH SEIYAKU KK), 19 February 1993 (1993-02-19) abstract	1-3, 11
Y	---	7-10, 12
X	DATABASE WPI Section Ch, Week 199222 Derwent Publications Ltd., London, GB; Class C03, AN 1992-180089 XP002150156 & JP 04 117305 A (ST KAGAKU KK), 17 April 1992 (1992-04-17) abstract	1-6, 11
Y	---	7-10, 12
X	DATABASE WPI Section Ch, Week 199227 Derwent Publications Ltd., London, GB; Class C03, AN 1992-223400 XP002150157 & JP 04 149103 A (TAISHO PHARM CO LTD), 22 May 1992 (1992-05-22) abstract	1-6, 11
Y	---	7-10, 12
X	DATABASE WPI Section Ch, Week 199046 Derwent Publications Ltd., London, GB; Class A97, AN 1990-346214 XP002150158 & JP 02 251669 A (NIPPON TERPENE KAGAKU KK), 9 October 1990 (1990-10-09) abstract	1-3, 11
Y	---	7-10, 12
X	DATABASE WPI Section Ch, Week 198931 Derwent Publications Ltd., London, GB; Class A97, AN 1989-225626 XP002150159 & JP 01 163104 A (NIPPON TERPENE KAGAKU KK), 26 July 1989 (1989-07-26) abstract	1-3, 11
Y	---	7-10, 12
X	EP 0 475 253 A (DETIA FREYBERG GMBH) 18 March 1992 (1992-03-18) the whole document	1-6, 11
Y	---	7-10, 12
	-/-	

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/17678

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DATABASE WPI Section Ch, Week 199218 Derwent Publications Ltd., London, GB; Class C03, AN 1992-147934 XP002150160 & JP 04 091003 A (JUMOKU CHUSHUTSUSEI), 24 March 1992 (1992-03-24) abstract	1-6,11
Y	---	7-10,12
X	DATABASE WPI Section Ch, Week 199632 Derwent Publications Ltd., London, GB; Class B05, AN 1996-318815 XP002150162 & JP 08 143419 A (FUJII T), 4 June 1996 (1996-06-04) abstract	1-3,11
Y	---	7-10,12
X	DATABASE CHEMABS 'Online' CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; S.HONMA: "Effect of various chemicals on mites" retrieved from STN-INTERNATIONAL, accession no. 69:75913 XP002150153 abstract & YAKUZAIGAKU, vol. 27, no. 3, 1967, pages 192-196,	1-3,11
Y	---	7-10,12
P,X	DATABASE WPI Section Ch, Week 199931 Derwent Publications Ltd., London, GB; Class C03, AN 1992-013544 XP002150161 & JP 02 913734 B (OGAWA KORYO KK), 28 June 1999 (1999-06-28) abstract	1-3,11
P,X	DE 198 24 680 A (GREWE HELMUT F) 9 December 1999 (1999-12-09) the whole document	1-6,11
P,X	DE 198 24 683 A (GREWE HELMUT F) 9 December 1999 (1999-12-09) the whole document	1-6,11
P,X	DE 198 24 681 A (GREWE HELMUT F) 9 December 1999 (1999-12-09) the whole document	1-3,11

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/17678

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
JP 8333206	A	17-12-1996	NONE		
EP 0428276	A	22-05-1991	JP 2075073 C	25-07-1996	
			JP 3133903 A	07-06-1991	
			JP 7103001 B	08-11-1995	
			DE 69032656 D	22-10-1998	
			DE 69032656 T	18-03-1999	
			EP 0846415 A	10-06-1998	
			EP 0847693 A	17-06-1998	
			EP 0847692 A	17-06-1998	
			US 5180586 A	19-01-1993	
JP 5039203	A	19-02-1993	NONE		
JP 4117305	A	17-04-1992	JP 2897054 B	31-05-1999	
JP 4149103	A	22-05-1992	NONE		
JP 2251669	A	09-10-1990	NONE		
JP 1163104	A	27-06-1989	NONE		
EP 0475253	A	18-03-1992	DE 4114980 A	05-03-1992	
JP 4091003	A	24-03-1992	NONE		
JP 8143419	A	04-06-1996	NONE		
JP 2913734	B	25-11-1991	JP 3264504 A	25-11-1991	
DE 19824680	A	09-12-1999	NONE		
DE 19824683	A	09-12-1999	NONE		
DE 19824681	A	09-12-1999	NONE		